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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/711,363 | 09/14/2004 | Kazuhiro KATO | 040465 | 5362 |

23850 7590 09/19/2005

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EXAMINER

DINKINS, ANTHONY

ART UNIT

PAPER NUMBER

2831

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,363

Applicant(s)

KATO ET AL.

Examiner

Anthony Dinkins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>08/05</u> . | 6) <input type="checkbox"/> Other: _____ |

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The examiner acknowledges, as recommended in **M.P.E.P. § 707.04**, the applicant's submission of the amendment dated August 24, 2005. At this point claims 1-5 have not been amended. Thus, claims 1-5 are pending in the instant application.

REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

((e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. (6,665,172). Regarding claim 1, (is being rejected as best understood by the examiner) Kim et al. disclose in Figure 6, a solid electrolytic capacitor

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having a capacitor element (10) in which an anode lead (20) protrudes from one end of an anode member, an anode lead frame (30) being attached to the anode lead (20) by welding, col. 4, lines 64-67, col. 5, lines 12-13 and col. 6, lines 63-67; wherein a contact resistance enlarging portion is formed on a junction face of the anode lead frame (30) with the anode lead (20), the area over which the anode lead frame (30) comes into contact with the anode lead (20) being smaller than the portion other than the junction face. Regarding claim 2, (is being rejected as best understood by the examiner) Kim et al. disclose in Figure 6, a solid electrolytic capacitor having a capacitor element (10) in which an anode lead (20) protrudes from one end of an anode member, an anode lead frame (30) being attached to the anode lead (30), by welding, col. 4, lines 64-67; wherein a contact resistance enlarging portion is formed on a junction face of the anode lead (20) with the anode lead frame (30), the area over which the anode lead (20) comes into contact with the anode lead frame (30) being smaller than the portion other than the junction face. Regarding claim 3, wherein the contact resistance enlarging portion includes a groove (32) that is form by pressing during the production process of the lead frame (30) which the groove (32) is provided on a junction face of the lead frame col. 4, lines 48-54. Regarding claims 4 and 5, wherein the contact resistance portion is made by forming a front end portion of the anode lead frame (30) to an angular shape, col. 5, lines 65-67 and col. 6, lines 1-5.

ACKNOWLEDEEMENT OF ISSUES RAISED BY THE APPLICANT**Response to Amendment**

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Applicant's arguments filed August 24, 2005 have been fully considered but they are not deemed to be persuasive and, as required by **M.P.E.P. § 707.07(f)**, a response to these arguments appears below.

ARGUMENTS CONCERNING PRIOR ART REJECTIONS

1st POINT OF ARGUMENT:

Regarding the applicant's traversal of the rejection of claims 1 and 2, although the applicant's invention may disclose that the anode lead frame (20) and an anode lead (16) are connected by resisting welding, applicant recited in Claim 1, lines 3-4 "an anode lead frame being attached to the anode lead by welding;" Applicant did not specifically claim the type of welding therefore Kim (6,665,172) would anticipate applicant's claimed invention.

Conclusion

STATUS OF CLAIMS IN THE APPLICATION

The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P. § 707.07(i)**:

CLAIMS REJECTED IN THE APPLICATION

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory

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action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

For at least the above reasons it is the examiner's position that the applicant's claims 1-5 are not in condition for allowance.

DIRECTION OF ALL FUTURE REMARKS


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Dinkins whose normally available during the working hours of **6:30 A.M. to 3:00 P.M. Mon. thru Fri.** and can be reached at telephone number (571) 272-1972.

IMPORTANT NOTE:

If attempts to reach the above noted Examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Dean Reichard, can be reached at the following telephone number: Area Code (571) 272-1984.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2800.

Anthony Dinkins
Primary Examiner
Art Unit 2831



ANTHONY DINKINS
PRIMARY EXAMINER